

**LAND ACQUISITION EXECUTIVE SUMMARY**

**PROJECT:** Kissimmee River Restoration and Headwaters Revitalization Project  
**COUNTY:** Osceola, Polk  
**SIZE:** 134.43 acres

Easement Acres and County

Tract No. 18-029-001 (20.77 ac) Osceola County  
Tract No. 18-030-00 (29.53 ac) Osceola County  
Tract No. 18-116-002 (79.22 ac) Osceola County  
Tract No. 18-117-006 ( 1.84 ac) Polk County  
Tract No. 18-117-007 ( 0.39 ac) Polk County  
Tract No. 18-117-008 ( 2.68 ac) Polk County

**PURPOSE:** Approve final purchase offer for voluntary acquisition of perpetual flowage and inundation easements and Authorize Eminent Domain for the acquisition in the event that the final purchase offer is not accepted by the owners.

**OWNER:** Mary Louise Zipprer Tract No. 18-029-001  
Gwendolyn C. Zipprer, William C. Zipprer, III and Lynda K. Zipprer Mims, as Trustees under the Last Will and Testament of William C. Zipprer, Jr. deceased. Tract No. 18-030-001  
David Gary Zipprer, as Trustee of the David Gary Zipprer Revocable Trust dated June 29, 2004, subject to life estate as to Morris E. Zipprer Tract Nos. 18-116-002 & 18-117-008  
William C. Zipprer, III and Lynda Z. Wetzel Tract No. 18-117-006  
Lynda Zipprer Mims and R. Richard Mims, her husband Tract No. 18-117-007

<b>APPRAISED VALUE:</b>	Tract No. 18-029-001	\$ 50,000
	Tract No. 18-030-001	\$ 70,500
	Tract No. 18-116-002	\$113,000
	Tract No. 18-117-006	\$ 6,700
	Tract No. 18-117-007	\$ 1,600
	Tract No. 18-117-008	\$ 7,100

**Total** \$ 248,900

<b>FINAL OFFER:</b>	Tract No. 18-029-001	\$ 57,500
	Tract No. 18-030-001	\$ 81,075
	Tract No. 18-116-002	\$ 129,950
	Tract No. 18-117-006	\$ 7,705
	Tract No. 18-117-007	\$ 1,840
	Tract No. 18-117-008	\$ 8,165

**Total** \$ 286,235

**HIGHLIGHTS:** These lands are located in Osceola and Polk Counties and are required for the Project. After several attempts, the District has been unsuccessful in negotiating the voluntary purchase of these tracts. In an effort to bring these acquisitions to finality, District staff is requesting authority to make a final written offer totaling \$286,235, 15% over appraised value. If the land owners fail to accept, approval of the Governing Board item will also grant authority to file condemnation actions.

**CONSIDERATIONS:** This acquisition involves the acquisition of perpetual flowage and inundation easements between 52.5 and 54 feet in Osceola and Polk counties. The Project, which includes measures to reestablish the historic river channel and floodplain, will cause the water levels in the restored river to fluctuate in a manner that may impact certain lands including the subject lands. Acquisition of perpetual flowage and inundation easements, comprising 134.43 acres, is a necessary part of the Project in Osceola and Polk counties.

**FISCAL IMPACT:** The final purchase offer of \$286,235 is 15% of the appraised value based on our approved appraisal dated October 10, 2009. Should the owners not accept the offer within 30 days, the District would initiate eminent domain proceedings. The final condemnation settlement cost of the subject lands is unknown at this time. A new appraisal for these properties will be obtained for the eminent domain proceedings. All costs are to be funded through Florida Forever funds.

**RECOMMENDATION:** That the Governing Board of the South Florida Water Management District authorize a final purchase offer and eminent domain proceedings for the acquisition of land interests containing 134.43 acres, more or less, in Osceola and Polk counties, Kissimmee Chain of Lakes Project and approve funding with Florida Forever funds.

**Prepared by:** \_\_\_\_\_  
Barbara Katz  
Senior Professional-Acquisition  
Land Acquisition Division  
Date

**Reviewed by:** \_\_\_\_\_  
Ruth P. Clements  
Director  
Land Acquisition Department  
Date

**Approved by:** \_\_\_\_\_  
Kenneth G. Ammon, P.E.  
Deputy Executive Director  
Everglades Restoration and Capital Projects  
Date

Attachments: Resolution and map

Persons and entities for conflict check:

As to Tract No. 18-029-001  
 Mary Louise Zipprer

As to Tract No. 18-030-001  
 Gwendolyn C. Zipprer, William C. Zipprer, III and Lynda K. Zipprer Mims, William C. Zipprer, Jr. (deceased)

As to Tract No. 18-116-002, 18-117-008  
 David Gary Zipprer, Morris E. Zipprer

As to Tract No. 18-117-006  
 Willliam C. Zipprer, III and Lynda Z. Wetzel

As to Tract No. 18-117-007  
 Lynda Zipprer Mims and R. Richard Mims, her husband (deceased)

<b>Tract Nos.</b>	<b>Owners Name</b>	<b>Easement Acres</b>	<b>Appraised Value</b>	<b>Final Purchase Offer</b>
18-029-001	Mary Louise Zipprer	20.77	50,000	57,500
18-030-001	Gwendolyn C. Zipprer, William C. Zipprer, III and Lynda K. Zipprer Mims, as Trustees under the Last Will and Testament of William C. Zipprer, Jr. deceased.	29.53	70,500	81,075
18-116-002	David Gary Zipprer, as Trustee of the David Gary Zipprer Revocable Trust dated June 29, 2004, subject to life estate as to Morris E. Zipprer	79.22	113,000	129,950
18-117-006	William C. Zipprer, III and Lynda Z. Wetzel	1.84	1,600	1,840
18-117-007	Lynda Zipprer Mims and R. Richard Mims, her husband	0.39	7,100	8,165
18-117-008	David Gary Zipprer, as Trustee of the David Gary Zipprer Revocable Trust dated June 29, 2004, subject to life estate as to Morris E. Zipprer	2.68	6,700	7,705
<b>Totals:</b>		<b>134.43</b>	<b>\$248,900</b>	<b>\$286,235</b>